

Portuguese case in the Hague Court

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*332. { Shri Keshava:
Shri D. C. Sharma:
Shri Shree Narayan Das:
Shri Radha Raman:
Shri S. C. Samanta:
Shri Subodh Haada:
Shri Supakar:
Sardar Iqbal Singh:
Shri N. B. Munisamy:

Will the Prime Minister be pleased to state:

(a) the progress made so far in the conduct of the case filed by Portugal against India in the Hague Court; and

(b) the date, if any, fixed for the judgment?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) and (b). The Government of India did not consider that the International Court had jurisdiction to decide the case with all its attendant circumstances. The Government of India therefore raised six preliminary objections. In regard to four of these the Court overruled them. In regard to the other two, they decided that they would be considered later at the time of hearing. The Court has fixed February 25, 1958, for the submission of our reply to the Portuguese claim. It is too early to say when the final judgment on the merits of the case will be given.

Shri Keshava: May I know, madam, whether, in view of the fact that there is a dispute regarding the scope of this judgment, is there any proposal.

Mr. Deputy-Speaker: I would not allow the question when particularly it has been addressed to the lady Minister!

Shri Keshava: In view of the fact that there is a dispute regarding the scope of this judgment, is there any proposal to seek a revision of this portion of the judgment?

Shrimati Lakshmi Menon: Which is that portion of the judgment? I have already said that the first four issues were rejected, and the other two would be considered later.

Several Hon. Members rose—

Mr. Deputy-Speaker: When ten Members get up and all of them shout out "May I know, Sir," I can call only one Member. And the position remains the same even if they stood silent, for, I could call only one of the Members who catches my eye. Therefore, it would be better if this process was followed.

Shri Narayanankutty Menon: The angle of vision is so much that we may not be able to catch the eye of the Chair if some others stand up.

Mr. Deputy-Speaker: It should perhaps be left to me. If I am incapable, some other method should be found.

Shri D. C. Sharma: The hon Minister said just now that four issues have been rejected, and only two issues remain for decision. May I know what is the overall effect of the rejection of those four issues on the overall picture of this case, and whether those issues were very significant? What is the view of the Government of India?

Mr. Deputy-Speaker: That would be an opinion.

Shri Narayanankutty Menon: In view of the fact that the Government of India considers that the International Court of Justice has no jurisdiction over the matter, may I know whether the Government will consider withdrawing from appearing before the International Court of Justice at all in this case?

Shrimati Lakshmi Menon: That question has not been decided—about the scope and jurisdiction of the International Court of Justice.

Sari Hem Barua: In view of the fact that India has subscribed to an optional clause in the Statute of the Court which provides for automatic jurisdiction, may I know if Portugal

has subscribed to that clause or reserved for herself the right to demand exclusion from any further categories of dispute?

Shrimati Lakshmi Menon: This is one of the objections.

Dr. Ram Subhag Singh: Whatever may be the judgment of the Court, may I know whether the Government of India will stick to its policy of not allowing any power to suppress any people, and on that ground, not to allow passage to the Portuguese authorities?

Shrimati Lakshmi Menon: I did not follow the latter part of the question.

Dr. Ram Subhag Singh: May I know whether the Government of India will stick to follow its policy in encouraging the rights of the colonial people to become free, and in view of the fact that that is the policy, may I know whether the Government of India will not allow the Portuguese authorities to go to Dadra and Nagar Haveli?

Mr. Deputy-Speaker: It is a good suggestion for action.

Shri Naushir Bharucha: May I know if the Government is aware that there are other preliminary issues also besides those raised, and whether it is the intention of the Government to raise such issues?

Shrimati Lakshmi Menon: Yes, Sir. All this is under consideration.

Shri N. E. Munisamy: May I know whether there is any agency or provision in this International Court of Justice to enforce its verdict against any sovereign country?

Shrimati Lakshmi Menon: That does not arise from this question.

दिल्ली में मूर्तियाँ स्थापित करने के सम्बन्ध में समिति

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२३१. { श्री जगत दलन :
श्रीमती इत्ता दल चौधरी :

तथा निर्माण, धावास और सम्भरण उपमंत्री विभाग ४ दिसम्बर, १९५७ के तारखित

प्रश्न संख्या १४६७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) दिल्ली में उपयुक्त स्थानों पर मूर्तियों की स्थापना करने के सम्बन्ध में सरकार को मंत्रणा देने वाली समिति में कौन कौन व्यक्ति नियुक्त किये गये हैं;

(ख) समिति ने किन-किन स्थानों पर तथा किन-किन नेताओं की मूर्तियाँ स्थापित करने की सिफारिश की है ; और

(ग) समिति की सिफारिशों कहां तक कार्यान्वित की गई हैं ?

निर्माण, धावास और सम्भरण उपमंत्री (श्री प्रमिल कुं. मन्दा) : (क) समिति के वर्तमान सदस्य यह हैं :—

(१) श्री ए० डी० पंडित, आई० सी० एस०, चीफ कमिश्नर, दिल्ली ।

(२) श्री जे० एम० रिश्तवानी, आई० एस० ई०, चीफ इंजीनियर, सी० पी० इबल्यू० डी० ।

(३) श्री एस० के० जोगलेकर, चीफ आर्किटेक्ट, सी० पी० इबल्यू० डी० ।

(४) श्री आर० एन० अग्रवाल, प्रेसीडेंट, दिल्ली म्यूनिसिपल कमिटी ।

(५) श्री सी० बी० दुबे, प्रेसीडेंट, नई दिल्ली म्यूनिसिपल कमिटी ।

(६) श्री ए० बी० बंकरासुब्बन, उप-सचिव, स्वास्थ्य मंत्रालय ।

(७) श्री फतेह सिंह, उप-सचिव, गृह मंत्रालय ।

(८) श्री डी० पी० कानिक, उप-सचिव, निर्माण, धावास तथा संभरण मंत्रालय ।

(ख) अभी कोई सिफारिशें नहीं मिली हैं ।

(ग) काल नैदा नहीं होता ।